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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/534,488

05/11/2005

Yuichi Inada

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32294

7590

09/19/2008

SQUIRE, SANDERS & DEMPSEY L.L.P.

8000 TOWERS CRESCENT DRIVE

14TH FLOOR

VIENNA, VA 22182-6212

EXAMINER

BODAWALA, DIMPLE N

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

09/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/534,488	Applicant(s) INADA ET AL.	
	Examiner DIMPLE N. BODAWALA	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 15 is/are pending in the application.
- 4a) Of the above claim(s) 12-14 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

- Claims 1-11 and 15 are pending.
- Claims 12-14 and 16 are withdrawn.

In view of the amendment filed on 7/7/2008, following rejection is withdrawn as a reason of record from the previous office action, mailed on 3/5/2008.

- Rejection of claim 10 under 35 USC 112, second paragraph.

In view of the amendment filed on 7/7/2008, following rejection is maintained as a reason of record from the previous office action, mailed on 3/5/2008.

- Rejection of claims 1-11 and 15 under 35 USC 102(b) as being anticipated by Suzuki et al. (JP 2001-322148).

Response to Arguments

1. Applicant's arguments filed on 7/7/2008 have been fully considered but they are not persuasive.
2. Applicant argues that the prior art, Suzuki et al. fails to disclose or suggest "during the press fit, at least either the stamper or the inner holder is subjected to stress in excess of its yield point and plastically deformed" as cited in claim 1 and also fails to disclose "during the press fit, at least either

the insert or the inner holder is subjected to stress in excess of its yield point and plastically deformed" as cited in claim 10. Applicant further argues that the prior art, Suzuki et al. discloses press fit means by using attaching portion (34) for stamper (32) for applying stress to the mirror surface block (18), which is not required for limitation "press fit" of claim 1 of the instant application. Applicant submits that the present invention eliminates the need to form a holding portion at the outer circumferential edge of the front end of the inner holder. According to embodiments of the present invention, as described in the specification on page 15, lines 8-18 and illustrated in Figs. 3 and 4, in order to prevent the stamper 29 from separating from the mirror-surface disc 16 and dropping off when a disc substrate is released from the stamper 29 in the course of mold opening, an inner holder 60 is attached to the mirror-surface disc 16 so as to hold the inner circumferential edge of the stamper 29. For this purpose, the inner holder 60 is press-fitted into a hole of the stamper 29, thereby pressing the stamper 29 against the mirror-surface disc 16. Therefore, the present invention eliminates the need to form the holding portion 58, as required in the conventional art, at the outer circumferential edge of the front end surface of the inner holder 60.

3. Applicant's all arguments are fully considered but not found persuasive because the prior art, Suzuki et al. discloses press fit means during the

molding operation which is described as below and also discussed during the telephone interview on 7/2/2008 with Applicant's representative (Mr. Al-Bassam). Furthermore, claim 1 of the instant application does not cite that press fit means does not require any attaching portion. Claim 1 cites that during press fit, at least either the stamper or the inner holder is subjected to stress in excess of its yield point and plastically deformed, which is anticipated by Suzuki et al. (See figure 2 and paragraph # 9 and 32 of the translation of Suzuki et al.).

4. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the present invention eliminates the need to form the holding portion 58, as required in the conventional art, at the outer circumferential edge of the front end surface of the inner holder 60) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

5. Thus, Applicant's arguments have been fully considered but not found persuasive, therefore, the rejection of claim has been maintained.

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 1-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki et al. (JP 200—322148).

7. Suzuki et al. ('148) discloses a mold for molding a disk which comprises a mirror surface disk (18), a stamper (32) having a hole (41) formed at its center, and attached to a front end surface of the mirror surface disc (18) (See figure 2), an inner holder (33) for holding the stamper (32) by means of press fit into the hole (41) (See figure 2). It further teaches that the internal circumferential edges of the stamper (32) is forced on the fixed side mirror block by the detaching portion (34) (See paragraph # 9, 32 of the translation), which inherently suggests that during the press fit, the inner holder is subjected to stress in excess of its yield point and plastically deformed. It further discloses a fixed die (11) as a first mold assembly and a moveable die (12) as a second mold assembly disposed in such a manner as to be able to advance toward and retreat from the first mold assembly (11); a sprue (16) as an insert disposed in the first mold assembly (11) , an inner holder (33) for disposing the insert (16) (See figure 2), which inherently suggests during the press fit the insert is subjected to stress in excess of its yield point and plastically deformed.

8. Figure 2 further teaches that the press fit as described above, which inherently suggests that it is performed by means of plastically deforming the stamper, wherein during the press fit, a front end surface of the inner holder (33) and a front end surface of the stamper are brought into a same plane. It further teaches that the press fit is preformed in a press fit deformation region established at each of at least two positions in a circumferential direction of the stamper and the inner holder (See figure 2). It further teaches that the press fit deformation region, an outer circumferential of the inner holder comprises a plurality of surfaces, wherein a diameter of a front end of the inner holder (33) is greater than a diameter of a rear end of the inner holder (33) (See figure 2). It further teaches a tip face (S14) as a stopper member for stopping the inner holder at a position such as a prescribed distance H, which inherently suggests that the front end surface of the inner holder and the front end surface of the stamper are brought onto a same plane (See figure 1).

9. It further discloses an attachment portion (34) as a detachment preventive portion (34) is formed for preventing detachment of the stamper from the inner holder (See figure 1, paragraph # 9 and 10 of the translation). It further teaches that the front end surface of the inner holder (33) projects from a front end surface of the stamper (See figure 2).

10. Suzuki et al. ('148) discloses all claimed structural limitations as discussed above and, thus, the claims are anticipated.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **DIMPLE N. BODAWALA** whose telephone number is (571)272-6455. The examiner can normally be reached on Monday - Friday at 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PHILLIP C. TUCKER can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dimple N Bodawala
Examiner
Art Unit 1791

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Examiner, Art Unit 1791

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